

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

BYOUNG J. IM,

§

Plaintiff,

§

v.

§

CIVIL ACTION H-08-691

§

HONG JOON CHUN,

§

Defendant.

ORDER

Pending before the court is plaintiff Byoung J. Im's motion to confirm arbitration award.

Dkt. 1. Upon review of the motion and the applicable law, the motion is GRANTED.

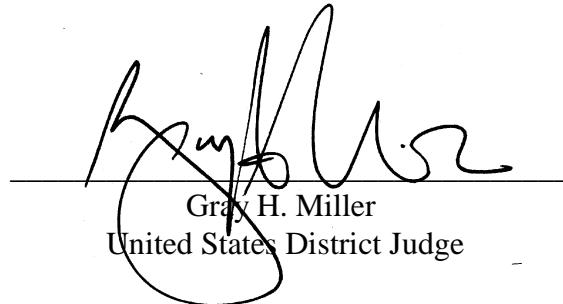
A motion to confirm an arbitration award is a summary proceeding. *Yusuf Ahmed Alghanim & Sons, W.L.L. v. Toys "R" Us, Inc.*, 126 F.3d 15, 23 (2d Cir. 1997). A district court's review of an arbitration award is "extraordinarily narrow." *Kergosien v. Ocean Energy, Inc.*, 390 F.3d 346, 352 (5th Cir. 2004). "If an [arbitration] award is rationally inferable from the facts before the arbitrator, the award must be affirmed." *Id.* at 353.

Under 9 U.S.C. section 9, "at any time within one year after the award is made any party to the arbitration may apply to the court . . . for an order confirming the award, and thereupon the court must grant such an order unless the award is vacated, modified, or corrected as prescribed in sections 10 and 11 of this title." 9 U.S.C. § 9. Hence, parties seeking confirmation of an arbitration award may do so within one year of the award. *Id.* The court must confirm the award unless notice of a motion to vacate, modify, or correct is served on the adverse party within three months of the granting of the award. 9 U.S.C. § 12.

Im filed the motion to confirm the arbitration award on March 3, 2008, just within the one year statutory period for confirmation. 9 U.S.C. § 9. Chun did not move to vacate, modify, or correct the award within the three month statutory time limit prescribed in 9 U.S.C. § 12. Accordingly, the award is confirmed in full. Therefore, the motion is GRANTED.

It is so ORDERED.

Signed at Houston, Texas on September 11, 2008.



Gray H. Miller
United States District Judge

TO ENSURE PROPER NOTICE, EACH PARTY RECEIVING THIS ORDER SHALL
FORWARD IT TO EVERY OTHER PARTY AND AFFECTED NONPARTY